

**Categorical Exclusion Review**  
U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Boise District Office  
Bruneau Field Office

**West Castle Creek Allotment Grazing Preference Transfer**

**CE No.:** DOI-BLM-ID-B020-2010-0009-CX

**Lease/Serial/Case File No.:** GRN #s 1100299, 1103467

**Purpose and Need for Action:** John Anchustegui has submitted a *Grazing Preference Application* for permitted use in West Castle Creek Allotment formerly attached to his Pole Creek base property. Mr. Anchustegui sold that property in 2007, and has now completed an *Application to Transfer Grazing Preference From Base Property* that will attach the expired permit to his Carl Hite base property.

This transfer will allow Mr. Anchustegui to retain the permitted use in Pastures 24, 24B&C, and 24D and use of the holding field 24A that was originally issued to Owyhee Calcium Products under their December 22, 1997 Final Decision and analyzed in EA #ID-01-97-103. That permit was subsequently transferred to Mr. Anchustegui in December, 2003.

Mr. Anchustegui's summer permit is run in common with two other permittees in those pastures, including late spring use in the riparian pasture 24B&C. In alternate years, there is a 25 day gap for this permit between the June 30 end date for 24B&C and the opening date for 24 and 24D when Mr. Anchustegui's cattle will be moved to private, State or FFR pastures that he controls. A Rangeland Health Assessment for West Castle Creek Allotment is currently in preparation.

**Description of Proposed Action:** The Proposed Action is to approve a transfer of an expired West Castle Creek Allotment summer permit to a new base property controlled by John Anchustegui. The transferred permit expired when the base property was sold in 2007. This transferred permit will be identical to the permit prescribed for Owyhee Calcium Products, Inc. by the December 22, 1997 Final Decision and will incorporate all of its specifications and mitigation measures.

**Project Location:** The Proposed Action involves the West Castle Creek Allotment, located near Grand View and Oreana, Idaho, 50 miles south of Boise.

**Applicant (if any):** John Anchustegui

## Part I – Plan Conformance Review

This proposed Action is subject to the following land use plan: Bruneau MFP

Date Plan Approved: June, 1983

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): RM-1.1, RM-1.4, RM-1.5, RM-3.1; WS-1.1; WL-3.2, WL-4.3, WL-4.4, WL-6.1, WL-aq-2.1, and WL-aq-2.5.

OR

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): N/A

Remarks: The relevant Bruneau MFP decisions are addressed in the transferred permit through the December 22, 1997 Final Decision issued to Owyhee Calcium Products, Inc.

## Part II – NEPA Review

- A. Categorical Exclusion Review: This proposed action qualifies as a categorical exclusion under 516 DM 11.9 D.(1) Category description: Approval of transfers of grazing preference.
- B. Exceptions Review (Departmental List of Extraordinary Circumstances Review): Review the 12 exceptions which apply to individual actions within categorical exclusion. Environmental documents (EA or EIS) must be prepared for any actions involving these exceptions. The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents MUST BE PREPARED for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

### List of Exceptions

1. Have significant impacts on public health or safety.

Yes ☐ No ☒ Specialist Signature/Date: Michael Boltz 12/1/09

Comments/Explanation:

2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; or ecologically significant or critical areas, or is not in compliance with the Fish and Wildlife Coordination Act.

Yes ☐ No ☒ Specialist Signature/Date: Michael Boltz 12/1/09

Comments/Explanation: None of these special designations occur within the affected pastures. Pasture 24B1EC, which is a single pasture, contains the floodplain and associated riparian areas of South Fork Castle Creek. The pasture receives limited cool-season use, and has shown an upward trend before it was reopposed to limited grazing use under existing permits.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

Yes ☐ No ☒ Specialist Signature/Date: Michael Boltz 12/1/09

Comments/Explanation: These pastures were grazed by domestic livestock since the

1860's, but use has been regulated and modified to maintain public values since the Taylor Grazing Act of 1934. Projects have been built and use substantially modified since 1997 to provide improved management of riparian areas and regular deferment on uplands.

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes ☐ No ☒ Specialist Signature/Date: Michael Bolt 12/1/09

Comments/Explanation: Livestock use has occurred under BLM permits for over 70 years and impacts have been documented and evaluated in several successive efforts including ongoing monitoring. Known impacts are addressed by the transferred permit.

5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

Yes ☐ No ☒ Specialist Signature/Date: Michael Bolt 12/1/09

Comments/Explanation: Livestock grazing will continue to be adjusted to conform to Idaho Standards and Guidelines and Bureau MFP decision.

6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.

Yes ☐ No ☒ Specialist Signature/Date: Michael Bolt 12/1/09

Comments/Explanation: In addition to prescribed grazing under the transferred permit, weed control measures are ongoing as locations are identified to prevent expansion. Juniper control measures are ongoing in these pastures but grazing will be modified in the short-term to maintain currently acceptable conditions.

7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.

Yes ☐ No ☒ Specialist Signature/Date: Jim Arington 12/1/2009

Comments/Explanation:

8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or on designated Critical Habitat for these species.

Yes ☐ No ☒ Specialist Signature/Date for Plants: H. Berger 12/2/2009  
Specialist Signature/Date for Wildlife: Brian C. Habel 12/1/2009  
Specialist Signature/Date for Aquatics: Donlin 12/2/2009

Plants Comments/Explanation:

Wildlife Comments/Explanation:

Aquatics Comments/Explanation:

9. Violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.

Yes ☐

No ☒

Specialist Signature/Date:

Michael Boltz 12/1/09

Comments/Explanation: The permits issued by the 12/22/1997 Final Decision were found to be in compliance.

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Yes ☐

No ☒

Specialist Signature/Date:

Michael Boltz 12/1/09

Comments/Explanation:

11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

Yes ☐

No ☒

Specialist Signature/Date:

Michael Boltz 12/1/09

Comments/Explanation: Transfer of this permit does not authorize any surface occupancy, any transfer of surface management or ownership or any change in surface access or surface impacts.

12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Yes ☐

No ☒

Specialist Signature/Date:

Michael Boltz

Comments/Explanation: Uplands in the authorized pastures are dominated by native species. Stream terraces, although modified in native species dominance, are showing improvement under practices prescribed by the transferred permit. Noxious weeds or non-native invasives are scarce and being kept

I certify that none of the Departmental exceptions (Extraordinary Circumstances) listed in the above Part II (516 DM 2, Appendix 2) apply to this action; therefore, this categorical exclusion is appropriate for this situation.

Remarks:

Authorizing Official:

Arnold L. Pike

Date:

12/1/09

Name:

Arnold L. Pike

Title:

Field Manager